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**From:** Joro Walker [joro.walker@westernresources.org]  
**Sent:** 6/3/2021 8:29:44 PM  
**To:** Thomas, Deborah [Thomas.Deborah@epa.gov]  
**CC:** Noah Miterko [noah@healutah.org]; Carly Ferro [carly.ferro@sierraclub.org]; brian moench  
**Subject:** Utah's 179B(b) Demonstration  
**Attachments:** final ngo 179b(b) comments 5 26 21.pdf

Ex. 6 Personal Privacy (PP)

Dear Acting Regional Administrator Thomas,

We understand that on May 28, 2021, Utah submitted to you a 179B(b) Demonstration that purports to show “but for” anthropogenic international emissions, the Northern Wasatch Front Nonattainment Area would have attained the 2015 ozone standard as of August 2021. Should the 179B(b) Demonstration be successful, the consequences to the people living and working along the NWF, including those from disproportionately impacted communities, would be severe. Essentially, Utahns would be denied the protections afforded them by the Clean Air Act and the State of Utah would be excused from taking the steps to reduce emissions of ozone precursors that would otherwise apply to a moderate ozone nonattainment area.

Despite EPA Guidance encouraging significant public involvement in any 179B(b) Demonstration and despite requests for more time, Utah’s Division of Air Quality gave the public 20 days to comment on its submission. More surprisingly, DAQ did not address our comments or those filed by others, but merely attached them to the May 28 submission two days after the public comment period expired.

We are extremely concerned that our evaluation and critique of the 179B(b) Demonstration were not addressed and that Utah has not taken seriously its obligation to involve the public in a decision that has the potential to damage the health and adversely impact the welfare of millions of Utahns. In this context we ask EPA to: 1) let us know in detail of the process – including any opportunities for public comment – that will result from or be triggered by the submission of the 179B(b) Demonstration; and, 2) give us the opportunity to meet with EPA staff who will be reviewing the Demonstration.

We have attached our comments on the 179B(b) Demonstration for ease of access.

Thank you very much for all you do to protect the public health and welfare and the environment. We look forward to hearing from you.

**JORO WALKER, ESQ.** | General Counsel  
Western Resource Advocates  
307 West 200 South Street, Ste 2000  
Salt Lake City, UT 84101  
801-413-7353 (d) | 801-487-9911 (o)  
[facebook](#) | [twitter](#) | [linkedin](#) | [donate](#)  
[www.WesternResourceAdvocates.org](http://www.WesternResourceAdvocates.org)



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